



# MINUTES

## OCONEE COUNTY COUNCIL

### Regular Meeting

### December 05, 2023

#### MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, District I  
Mr. Matthew Durham, Chairman, District II  
Mr. Don Mize, Vice Chairman, District III  
Mr. Julian Davis III, District IV  
Mr. Glenn Hart, Chairman Pro Tem, District V

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root, & Jennifer C. Adams, Clerk to Council present.

**Press:** Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [[www.oconeesc.com/council](http://www.oconeesc.com/council)]. In addition, it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Andrea Kelley / The Journal, Dick Mangrum / WGOG 101.7

#### **Call to Order**

Mr. Durham called the meeting to order at 6:00 p.m.

#### **Moment of Silence**

Mr. Durham asked for a moment of silence prior to the Invocation by County Council Chaplain.

#### **Invocation by County Council Chaplain**

Mr. Root, County Council Chaplain, gave the invocation.

#### **Pledge of Allegiance**

Mr. Dick Mangrum led the Pledge of Allegiance to the Flag of the United States of America.

#### **Approval of Minutes**

Mr. Elliott made a motion, seconded by Mr. Hart, approved 4 – 1 [Mr. Davis abstained from voting since he was not present for the last meeting], to approve the November 21, 2023 regular meeting minutes as presented.

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## **Attorney's Comments**

None for this meeting.

## **Administrator's Comments**

None for this meeting.

## **Public Comment Session**

*If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Jennifer C. Adams at [jennifercadams@oconeesc.com](mailto:jennifercadams@oconeesc.com) or 864-718-1023, so that she may receive your comment and read it into the record.*

1. Mr. Andy Whiten expressed his thanks to Council for their prayers and support for Office Lucas Watts and then presented questions related to Sewer South and the \$25 million dollar bond obtained by the County.
2. Mr. Ben Murphy addressed Council with his concerns related to development in the southern portion of the County, noting he would like to see more focus on agriculture.
3. Mr. Elijah Gambrell addressed Council with his concerns related to agriculture, new development in the County and Sewer South.
4. Mr. Ron Cilensek addressed Council with questions pertaining to the previously discussed Junkyard Ordinance.

## **Council Members Comments**

Mr. Elliott wished all citizens a Merry Christmas and Happy New Year and went on to express his concerns related to development standards and planning for growth in the County, encouraging Council to start the process of developing these standards.

Mr. Hart echoed Mr. Elliott's well wished to all citizens.

Mr. Davis provided comments related to Sewer South and the \$25 million dollar bond and suggested that a special meeting be held in January 2024 to address citizen and Council concerns and questions related to this project.

Mr. Davis also questioned as to how certain citizens obtained a map related to Sewer South.

Mr. Hart explained that he actually had the map produced as a means to obtain input from citizens who may be affected by the Sewer South project.

Mr. Durham addressed citizen comments related to Sewer South and noted that he would like to invite Chris Eleazer, Executive Director of the Oconee Joint Regional Sewer Authority (OJRSA), to the January 16, 2024 Council meeting to provide details to Council and citizens of the plan that he developed for Sewer South.

Ms. Brock addressed questions presented by Mr. Mize related to the May 2023 joint meeting between Council and OJRSA.

Lengthy discussion followed by Council and Ms. Brock related to Sewer South and OJRSA.

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**Public Hearings for the Following Ordinances** *If you would like to be heard during either of the public hearings, please contact Clerk to Council Jennifer C. Adams at [jennifercadams@oconeesc.com](mailto:jennifercadams@oconeesc.com) or 864-718-1023 so that your participation may be coordinated.*

**ORDINANCE 2023-20** AN ORDINANCE AUTHORIZING (1) THE EXECUTION AND DELIVERY OF A PUBLIC INFRASTRUCTURE REIMBURSEMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY AND SENECA COTTON MILL OWNER, LLC, IN CONNECTION WITH THE ESTABLISHMENT OF CERTAIN FACILITIES LOCATED IN OCONEE COUNTY; (2) THE BENEFITS OF A MULTI-COUNTY INDUSTRIAL OR BUSINESS PARK TO BE MADE AVAILABLE TO SENECA COTTON MILL OWNER, LLC, AND THE PROJECT SITE; AND (3) OTHER RELATED MATTERS.

Mr. Durham opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Durham opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council and no citizen submitted or presented any written comments for the record.

Mr. Durham closed the Public Hearing regarding **Ordinance 2023-20**.

### **Third Reading of the Following Ordinances**

**ORDINANCE 2023-20** *[see caption above]*

Mr. Hart made a motion, seconded by Mr. Elliott, to approve **Ordinance 2023-20** on third and final reading.

Mr. Elliott offered welcoming comments and well wishes to the developer of the above project.

Ms. Brock and Mr. Root addressed Mr. Hart's questions as to if the above property has been annexed into Seneca City limits, both noting the property has not been annexed as of yet but is under consideration by the City of Seneca for this action.

Mr. Davis noted that he is excited for this project.

Mr. Mize offered his opinion of how he would complete the phases of the project.

Mr. Durham noted that it will be great to see the progress of this project.

Motion approved 5 – 0.

### **Second Reading of the Following Ordinances**

**ORDINANCE 2023-21** AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A RESIDENTIAL LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND JAMES KENT CROOKS AS LESSEE FOR CERTAIN REAL PROPERTY, INCLUDING ALL IMPROVEMENTS THEREON, LOCATED AT 207 CROOKS ROAD, SENECA, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO.

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Mr. Hart made a motion, seconded by Mr. Mize, approved 5 – 0, to approve **Ordinance 2023-21** on second reading.

**First Reading of the Following Ordinances**

**ORDINANCE 2023-24** AN ORDINANCE TO REZONE PARCEL 177-00-02-184 FROM THE CONTROL FREE DISTRICT TO THE LAKE RESIDENTIAL DISTRICT, PURSUANT TO OCONEE COUNTY CODE OF ORDINANCES CHAPTER 38, ARTICLE 8.

Mr. Elliott made a motion, seconded by Mr. Hart, approved 5 - 0, to approve **Ordinance 2023-24** on first reading.

**First & Final Reading for the Following Resolutions**

**RESOLUTION 2023-21** A RESOLUTION AUTHORIZING THE ACCEPTANCE BY OCONEE COUNTY OF CERTAIN EASEMENT AND/OR OTHER RIGHTS RELATED TO PROPERTY LOCATED IN OCONEE COUNTY AND POSITIONED AT OR ADJACENT TO S.C. HIGHWAY 11 AND U.S. INTERSTATE 85; AND OTHER MATTERS RELATED THERETO.

Mr. Hart made a motion, seconded by Mr. Mize, to approve **Resolution 2023-21** on first and final reading.

Mr. Elliott expressed his opposition to **Resolution 2023-21**.

Mr. Davis expressed his concerns related to **Resolution 2023-21**.

Mr. Elliott made a motion, seconded by Mr. Davis, failed 2 – 3 [Mr. Durham, Mr. Hart, Mr. Mize opposed], to table **Resolution 2023-21**.

Original motion approved 3 – 2 [Mr. Elliott and Mr. Davis opposed].

**Discussion Regarding Action Items**

**Procurement #: ITB 23-08 Concrete Repair and Additions**                      **Department(s): Solid Waste**  
**Amount: \$187,327.00**  
**10% Contingency: \$18,732.70**  
**Total: \$206,059.70**

**Procurement was approved by Council in Fiscal Year 2023-2024 budget process.**  
**Budget: \$ 206,059.70                      Project Cost: \$206,059.70                      Balance: \$0.00**  
**(Based on Estimated Quantities)**

The Oconee County Solid Waste Recycle Centers have existing concrete pads that are showing wear due to years of roll-off containers being loaded and unloaded from large trucks. The majority of these pads are 20+ years old and are in need of repair. Additionally, the new concrete pads will be used for a future storage shed, a future large metal garage building, and additional compactors/containers needed at the recycle centers. Bid totals were calculated using estimated quantities of concrete that may be required. Actual quantities ordered will vary depending upon the actual amount of concrete used. On November 16, 2023, formal sealed bids were opened for concrete repair and additions. Eight companies were originally notified of this bid opportunity. Three companies submitted bids, with Lewis McMahan, of West Union, SC submitting the lowest, responsive bid of \$187,327.00.

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*It is the staff's recommendation that Council approve the Award of ITB 23-08 to Lewis McMahan, of West Union, SC, for the estimated amount of \$187,327.00, and a 10% contingency, in the amount of \$18,732.70; for a total award of \$206,059.70.*

Mr. Hart made a motion, seconded by Mr. Davis, to approve the Award of ITB 23-08 to Lewis McMahan, of West Union, SC, for the estimated amount of \$187,327.00, and a 10% contingency, in the amount of \$18,732.70; for a total award of \$206,059.70.

Mr. Mize inquired as to if the new concrete pads were going to have embedded reinforcement to prevent wear on the concrete.

Ms. Brock addressed Mr. Mize's question, noting there would be embedded reinforcement in the new concrete pads.

Motion approved 5 – 0.

**Title: One (1) 2023 Dodge Ram 2500**

**Department: Emergency Services**

**Amount: \$52,515.00**

**Procurement was approved by Council in Fiscal Year 2023-2024 budget process.**

**Budget: \$52,515.00**

**Project Cost: \$52,515.00**

**Balance: \$0.00**

*(Funding from Fire/Emergency Services Capital Vehicle, Equipment and Small Capital Fund (335).)*

The Fiscal year 2023-2024 Fire/Emergency Services Capital Vehicle, Equipment and Small Capital budget includes one (1) Dodge Ram 2500 for Fire / Emergency Services. This truck is on the lot and there will be no wait time in delivery.

The new vehicle will replace a 2008 Ford Crown Vic with 218,100 miles. The vehicle being replaced will be sold as surplus or replace older vehicles used in other County departments. The Fleet Maintenance Director approves this purchase.

Santee Automotive of Manning, SC was awarded SC State Contract # 4400029870 for Dodge vehicles.

Santee Automotive of Manning, SC is a SC State Contract holder for Dodge vehicles.

*It is the staff's recommendation that Council approve the purchase of one (1) 2023 Dodge Ram from Santee Automotive of Manning, SC, in the amount of \$52,515.00.*

Mr. Hart made a motion, seconded by Mr. Mize, approved 5 - 0, to approve the purchase of one (1) 2023 Dodge Ram from Santee Automotive of Manning, SC, in the amount of \$52,515.00.

**Title: Komatsu WA380-8 Wheel Loader**

**Department: Solid Waste**

**Amount: \$385,562.28**

**Procurement was approved by Council in Fiscal Year 2023-2024 budget process.**

**Budget: \$385,562.28**

**Project Cost: \$385,562.28**

**Balance: \$0.00**

*(Funding from (340) One Time Capital Equipment Fund.)*

The Wheel Loader is used in the transfer station to push and load approximately 54,000 tons of household waste into trailers for transport to the landfill annually. After researching wheel loaders with waste handling packages, it was determined that the Komatsu WA380-8 with waste handling package and quick coupler, best met the needs of the Solid Waste Department.

The County is utilizing the Sourcewell national purchasing cooperative, contract # 011723-KOM. The contract discount includes 47% off the list price of the equipment. The Vehicle Maintenance Director approves this purchase.

The County will be trading in a 2008 John Deere 624J wheel loader with 14,824 hours. It has been used as a

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back-up transfer station loader since 2016. The current transfer station Komatsu wheel loader will be moved to the backup slot. Linder Industrial Machinery Company has agreed to \$15,000.00 for the trade-in. Linder Industrial Machinery Company holds the Sourcewell contract for Komatsu Heavy Construction Equipment. The Sourcewell contract allows government agencies to purchase directly from an authorized dealer. Sourcewell contracts are bid and awarded on a national level and purchases may be fulfilled by authorized local or state dealers. Linder Industrial Machinery Company, of Greer, SC is the Komatsu Authorized Dealer for the Oconee County area.

***It is the staff's recommendation that Council:***

- 1. Approve the purchase of the Komatsu WA380-8 Wheel Loader from Linder Industrial Machinery Company of Greer, SC in the amount of \$385,562.28.***
- 2. Approve the trade-in of the 2008 John Deere 624J wheel loader.***

Mr. Hart made a motion, seconded by Mr. Mize, approved 5 - 0, to approve the purchase of the Komatsu WA380-8 Wheel Loader from Linder Industrial Machinery Company of Greer, SC in the amount of \$385,562.28 and the trade-in of the 2008 John Deere 624J wheel loader.

**Title: Two (2) 2023 Dodge Durango's and One (1) 2023 Dodge Ram**

**Department: Sheriff's Office**

**Amount: \$129,315.00**

**Procurement was approved by Council in Fiscal Year 2023-2024 budget process.**

**Budget: \$129,315.00      Project Cost: \$129,315.00      Balance: \$0.00**

***(Funding from Capital Equipment / (325) Vehicle Fund.)***

The Fiscal year 2023-2024 Capital Replacement plan includes two (2) 2023 Dodge Durango's and one (1) 2023 Dodge Ram for the Sheriff's Office Road Deputies and Animal Control. These vehicles are on the lot and there will be very little wait time in delivery.

If the County orders these vehicles, it will be late Spring or Early Summer 2024 before they are received and delivered.

The new vehicles will replace a 2014 Chevrolet Tahoe with 218,781 miles, 2014 Chevrolet Tahoe with 216,900 miles, and a 2014 Ford F-150 with 165,600 miles. The vehicles being replaced will be sold as surplus or replace older vehicles used in other County departments. The Fleet Maintenance Director approves this purchase.

Santee Automotive of Manning, SC was awarded SC State Contract # 4400029870 for Dodge vehicles.

**Santee Automotive of Manning, SC is a SC State Contract holder for Dodge vehicles.**

***It is the staff's recommendation that Council approve the purchase of two (2) 2023 Dodge Durango's and one (1) Dodge Ram from Santee Automotive of Manning, SC, in the amount of \$129,315.00.***

Mr. Mize made a motion, seconded by Mr. Hart, approved 5 - 0, to approve the purchase of two (2) 2023 Dodge Durango's and one (1) Dodge Ram from Santee Automotive of Manning, SC, in the amount of \$129,315.00.

**Council Committee Reports**

None for this meeting.

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## **Board & Commission Appointments**

None for this meeting.

## **Executive Session**

Mr. Hart made a motion, seconded by Mr. Mize, approved 5 – 0, to enter into Executive Sessions for the following purposes, as allowed for § 30-4-70(a) of the South Carolina Code of Laws:

1. *Discuss and receive legal advice related to a contractual matter regarding public safety.*
2. *Discussion regarding a contractual matter related to the City of Walhalla.*
3. *Discussion regarding a personnel matter related to the County Administrator.*

Council entered into Executive Session at 6:45 p.m.

Council returned from Executive Session at 7:43 p.m. on a motion made by Mr. Elliott, seconded by Mr. Hart, approved 5 – 0.

As requested by County Attorney, Mr. Root, the following 2 motions from Council were made related to Executive Session items two and three:

Mr. Elliott made a motion, seconded by Mr. Hart, approved 5 – 0, to direct the County Administrator and County Attorney to draft and deliver, to the City of Walhalla, an addendum to the fire contract to continue under the existing terms until June 30, 2024.

Mr. Elliott made a motion, seconded by Mr. Davis, approved 5 – 0, to approve increasing the vacation accrual cap for the County Administrator by 170 hours, with the option for a cash out up to 75 hours each December.

## **Adjourn:**

Mr. Hart made a motion, approved unanimously, to adjourn at 7:45 p.m.

Respectfully Submitted:

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Jennifer C. Adams  
Clerk to Council

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